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EXAMINER	
BOUTAH, ALINA A	

ART UNIT	PAPER NUMBER
2443	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/715,694	LORD ET AL.	
	Examiner	Art Unit	
	ALINA N. BOUTAH	2443	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 March 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13 and 18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13 and 18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

This action is in response to Applicant's amendment filed March 3, 2009. Claims 1-13 and 18 are pending in the present application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-13 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Janik (US 2002/0013852) in view of Plastina et al. (US 2004/0019658 A1).

Regarding claim 1, Janik teaches a processor-readable medium embodying set of instructions that, when read by a programmable processor of a first computing device, result in the processor performing a process, the process comprising:

collecting, by the first computing device (figure 1: 18), media files (paragraph 0132 - i.e. mp3 files) and meta data information describing the media files (paragraph 0132 – i.e. URL, IP, path to files), so that the media files' content is available for

experiencing by a user at the first computing device (figure 1: 96; paragraph 0132, 0120);

communicating, by the first computing device, from the second computing device the requested meta data information and an identifier for each media file described by the requested meta data information, the identifier uniquely identifying the media file [0074 – delivering content object to local client devices, the content object being graphical designation of a URL or IP address and port number of a digital content stream];

receiving, by the first computing device, from the second computing device a request to transfer a media file selected by the user at the second computing device, the request including the identifier of the selected media file [0082 – the user uses the mouse to click on the boxes next to desired content types; content selection labels are graphical representations of HTML links to actual content files, such as digital audio or digital video files]; and

transmitting by the first computing device, the requested media file to second computing device as a stream, so that the user is able to select from the media files available to the user at the first computing device one or more media files to be experienced by the user at the second computing device (abstract – streaming content from the internet or local server to thin client devices; digital content is streamed automatically from the local server to another internet play back device, based on end user content preferences and schedule selections; paragraphs 0074; 0132).

However, Janik does not explicitly teach receiving by the first computing device, a request from a second computing device, the request comprising a request for at least some of the meta data information collected at the first computing device. In an analogous art, Plastina teaches receiving a request for meta-data information (abstract; figure 2: 203). At the time the invention was made, one of ordinary skill in the art would have been motivated to request for at least some of the meta data information in order to allow the user to learn about the media file before actually obtaining the file, thus facilitating the understanding, characteristics, and management usage of media data, therefore providing effective data management.

Regarding claim 2, Janik teaches the medium of claim 1, wherein the identifier is a uniform resource identifier [0132].

Regarding claim 3, Janik teaches the medium of claim 1, wherein the process further comprises communicating to a remote server a wide area network (WAN) address to be used to connect to the process over the WAN (abstract: internet).

Regarding claim 4, Janik teaches the medium of claim 3, wherein the process further comprises determining whether a connection can be established with the process via the (WAN) [0082].

Regarding claim 5, Janik teaches the medium of claim 1, wherein the process further comprises configuring a network address translation (NAT) router to enable the process to receive communications from a wide area network (WAN) [0107].

Regarding claim 6, Janik teaches the medium of claim 1, wherein the process further comprises automatically discovering other devices connected to the first computing device, the other devices having media files available for experience by the user [0115].

Regarding claim 7, Janik teaches the medium of claim 6, wherein the process reports to the remote server information on the other instances of the process discovered by the process [0115].

Regarding claim 8, Janik teaches the medium of claim 6, wherein the process further comprises receiving, by the first computing device, a request from one of the other devices for the first computing device to transmit a media file as a stream to the one of the other device [0120].

Regarding claim 9, Janik teaches the medium of claim 1, wherein the process further comprises searching the first computing device for media files and storing meta data describing the located media files [0079].

Regarding claim 10, Janik teaches the medium of claim 9, wherein the searching for media files further comprises searching devices connected to the first computing device for media files [0089].

Regarding claim 11, Janik teaches the medium of claim 1, wherein the process further comprising transmitting one stream at a time (abstract).

Regarding claim 12, Janik teaches a processor-readable medium embodying a set of stored instructions that, when read by a programmable processor at a local computing device, results in the processor performing:

connecting to a process executing at a remote computing device [0102];

receiving from the process information and an identifier for each media file available for experiencing by a user using the remote computing device, the identifier uniquely identifying the media file [0192; 0132 – i.e. URL, IP, path to files];

receiving at least one media file selection by a user using the information received from the process [abstract; 0120];

transmitting to the process a request for the media file selection as a stream (abstract);

receiving from the remote computing device process the requested media file, so that the user is able to select from the media files available to the user at the remote computing device one or more media files to be experienced by the user at the local computing device (abstract; paragraphs 0003, 0117; 0162).

Although Janik does not explicitly disclose the process executing at the remote computing device being an agent process, one of ordinary skill in the art would have recognized that an agent is simply a part of the system that performs information exchange on behalf of a client or server. The use of an agent is well known in the networking art.

However, Janik does not explicitly teach transmitting, to the agent process, a request for meta data information describing media files available for streaming to the client process; and receiving from the agent process meta data information. In an analogous art, Plastina teaches receiving a request for meta-data information (figure 2; abstract). At the time the invention was made, one of ordinary skill in the art would have been motivated to request for at least some of the meta data information in order to allow the user to learn about the media file before actually obtaining the file, thus

facilitating the understanding, characteristics, and management usage of media data, therefore providing effective data management.

Regarding claim 13, Janik teaches the medium of claim 12, wherein the unique identifier comprises a uniform resource identifier (URI) [0132].

Regarding claim 14, Janik teaches the medium of claim 12, wherein the process further comprises transmitting, to the agent process, a request for information describing media files available for streaming to the client process (abstract).

Regarding claim 18, Janik teaches the medium of claim 12, wherein the process further comprises:

connecting over a wide area network (WAN) to a central server (abstract; figure 1).

However, Janik does not explicitly teach authenticating with the central server using an identifier associated with the agent process; obtaining from the central server a WAN address for an agent process; and connecting to the agent process at the WAN address.

In an analogous art Plastina teaches authenticating with the central server using an identifier associated with the agent process [0006]; obtaining from the central server a WAN address for an agent process [0021-0022]; and connecting to the agent process at the WAN address [0021-0022]. At the time the invention was made, one of ordinary skill in the art would have been motivated to incorporate the teaching of Jacoby into the teaching of Plastina in order to provide access security to the system, thus making the system more protected.

Response to Arguments

Applicant's arguments, with respect to the rejection(s) of independent claim(s) 1 and 12 have been fully considered but are not found persuasive.

Applicant argues that neither Janik nor Plastina teaches a first computing device receiving, from a second computing device, requests for both a media file and meta data for the media file, with the first computing device communicating the requested meta data and media file identifier to the second computing device in response to the second computing device's request, and the first computing device receiving a request from the second computing device for the media file, which request includes the media file identifier communicated by a first computing device to the second computing device in response to the request for meta data received by the first computing device from the second computing device. The PTO respectfully disagrees and submits that this is taught by Janik and Plastina combined as cited above.

Janik teaches all the claimed elements argued except receiving by the first computing device, a request from a second computing device, the request comprising a request for at least some of the meta data information collected at the first computing device.

For example, Janik teaches a first computing device receiving requests for media file from a second media file (paragraphs 0105-0106 – content 10 is streamed from internet 8 at times prescribed by the user or at times derived by direction given by the user through the GUI, the "direction" in this case is interpreted as "request" as claimed), with the first computing device communicating the requested meta data and media file identifier to the second computing device in response to the second computing device's request (0074; 0076 – links to content according to content file type i.e. MP3, MPEG, and the like; 0078 – additional information such as information about the artist and or reviews), and the first computing device receiving a request from the second computing device for the media file, which request includes the media file identifier communicated by a first computing device to the second computing device in response to the request [0082 – the user uses the mouse to click on the boxes next to desired content types; content selection labels are graphical representations of HTML links to actual content files, such as digital audio or digital video files].

Plastina teaches receiving a request for meta-data information (abstract – obtaining metatdata for media content, software according to the invention requests the metadata via a metadata query structure such as uniform resource locator and receives metadata in response; figure 2: 202). At the time the invention was made, one of

ordinary skill in the art would have been motivated to request for at least some of the meta data information in order to allow the user to learn about the media file before actually obtaining the file, thus facilitating the understanding, characteristics, and management usage of media data, therefore providing effective data management.

For at least the above reasons, the rejection is sustained.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALINA N. BOUTAH whose telephone number is (571)272-3908. The examiner can normally be reached on Monday-Friday (9:00 am - 5:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia L.M. Dollinger can be reached on 571-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alina N Boutah/
Primary Examiner, Art Unit 2443